

are a hard-working people, creative and sincere. The fervent, spirited people of West Virginia invigorate all aspects of the greater American society and culture.

With the world turning to a newer high technology economy, West Virginia remains at the forefront with its strong contributions to biometrics through its growing network of biometrics companies, government agencies and universities. While West Virginia contributes in the global economy, our traditional industries of coal, steel, timber, and chemicals continue proudly as the base of our economy. Some of our finest academic institutions offer strong programs in engineering, physics and medicine, which contribute to our growing success in new fields such as biometrics technology and development. Also, with the ever-expanding broadband internet, more West Virginians are joining the internet community. Particularly in the classroom, the presence of high-speed internet is keeping West Virginian students worldly and capable in this age of technology.

Now, as we stand at the gateway of the 21st Century, I am honored to recognize West Virginia's 141st birthday, and I am enormously proud to be a West Virginian.●

#### IN RECOGNITION OF ALAN MILBAUER'S RETIREMENT

● Mr. CARPER. Madam President, I pay tribute today to Alan Milbauer upon his retirement as vice president of public affairs for AstraZeneca. His dedication has won him the respect of coworkers and friends alike, along with the gratitude of many in our State. He has been, and remains, a trusted friend.

A native of Brooklyn, NY, Alan was born on August 30, 1943, to Francis and Irving Milbauer. He received his early education in Brooklyn and went on to earn degrees in pharmacy and law at the University of Connecticut in 1965 and 1968, respectively.

Alan has spent most of his career in the pharmaceutical industry, except for a brief experience in the field of consumer marketing research. He began his industry experience as attorney for the Pharmaceuticals Research and Manufacturers of America, PhRMA, before coming to Delaware and joining Zeneca Pharmaceuticals—then Atlas Chemicals—in 1969. In 1976, he was appointed director of regulatory affairs. He became vice president of planning in 1985 and vice president of marketing in 1991. Prior to the merger of Astra and Zeneca, Alan served as vice president of external affairs for Zeneca Pharmaceuticals.

As a member of the U.S. AstraZeneca leadership team, Alan's responsibilities include Federal and State government affairs, corporate external communications, public relations and ally development, corporate and community affairs, and public policy. As a major international healthcare business en-

gaged in the research, development, manufacturing and marketing of pharmaceuticals and healthcare services, Alan has provided strong leadership and served as a role model to many. According to friends, he has been described as the "conscience" for the company. He has long sought to ensure that AstraZeneca was mindful of its corporate responsibility to the community. Alan brought the human side to the corporate world. He also played a role in helping bring AstraZeneca's United States headquarters to Delaware during my years as Governor.

Alan serves as a board director for the Delaware Theatre Company, Delaware Public Policy Institute, and is a trustee of the University of the Sciences in Philadelphia. He is also a member of the board of directors of the Vox Medical Center for Patient Education and Health Literacy, and is a member of the Connecticut Bar. Alan's leisure interests include travel, theater, reading, and playing golf.

Alan and his wife of 37 years, Nancy, live in Wilmington, DE. They have three children, Karen, Stephen and Jennifer, and two grandchildren, twins Jacob and Rachel.

Through Alan's efforts, he has made a real difference in the lives of thousands of individuals and enhanced the quality of life for our State. Upon his retirement, he will leave behind a legacy of commitment to public service for both his children and grandchildren and for others to follow. I thank him for the friendship that we share, and I congratulate him on a remarkable and distinguished career. I wish him and his family only the very best in all that lies ahead for each of them.●

#### MESSAGES FROM THE HOUSE

At 1:24 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4567. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes.

H.R. 4568. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2005, and for other purposes.

At 6:15 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 1848. An act to amend the Bend Pine Nursery Land Conveyance Act to direct the Secretary of Agriculture to sell the Bend Pine Nursery Administration Site in the State of Oregon.

S. 2238. An act to amend the National Flood Insurance Act of 1968 to reduce losses to properties for which repetitive flood insurance claim payments have been made.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 458. Concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of the bill S. 2238.

The message further announced that pursuant to 22 U.S.C. 276d, clause 10 of rule I, and the order of the House of December 8, 2003, the Speaker appoints the following Members of the House of Representatives to the United States Delegation of the Canada-United States Interparliamentary Group: Mr. HOUGHTON of New York, Chairman, Mr. DREIER of California, Mr. SHAW of Florida, Mr. STEARNS of Florida, Mr. MANZULLO of Illinois, Mr. SMITH of Michigan, Mr. ENGLISH of Pennsylvania, Mr. SOUDER of Indiana, and Mr. TANCREDO of Colorado.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4568. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2005, and for other purposes; to the Committee on Appropriations.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4567. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes.

H.R. 4520. An act to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-8028. A communication from the Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Review of Part 15 and other Parts of the Commission's Rules" (FCC04-98) received on June 15, 2004; to the Committee on Commerce, Science, and Transportation.

EC-8029. A communication from the Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Linceline and Link-Up" (FCC04-87) received on June 15, 2004; to the Committee on Commerce, Science, and Transportation.

EC-8030. A communication from the Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Amendment of the Commission's Space Station Licensing Rules and Policies; 2000 Biennial Regulatory Review—Streamlining and Other Revisions of Part 25 of the Commission's Rules Governing the Licensing of, and Spectrum Usage by, Satellite

Network Earth Stations and Space Stations" (FCC04-92) received on June 15, 2004; to the Committee on Commerce, Science, and Transportation.

EC-8031. A communication from the Senior Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Amendment of the Commission's Space Station Licensing Rules and Policies Mitigation of Orbital Debris" (FCC03-102) received on June 15, 2004; to the Committee on Commerce, Science, and Transportation.

EC-8032. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 76 of the Commission's Rules to Extend Interference Protection to the Marine and Aeronautical Distress and Safety Frequency 406.025 MHz" (FCC04-75) received on June 15, 2004; to the Committee on Commerce, Science, and Transportation.

EC-8033. A communication from the Attorney Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "The Development of Operational, Technical, and Spectrum Requirements for Meeting Federal, State, and Local Public Safety Agency Communication Requirements Through the Year 2010" (FCC03-204) received on June 15, 2004; to the Committee on Commerce, Science, and Transportation.

EC-8034. A communication from the Secretary of Commerce, transmitting, a draft of proposed legislation entitled "National Oceanic and Atmospheric Administration Organic Act of 2004"; to the Committee on Commerce, Science, and Transportation.

EC-8035. A communication from the Senior Attorney, Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instruction; Final Rule, Response to Appeals and Corrections" (RIN2137-AD94) received on June 14, 2004; to the Committee on Commerce, Science, and Transportation.

EC-8036. A communication from the Administrator, Federal Motor Carrier Safety Administration, transmitting, pursuant to law, a report relative to the Large Truck Crash Causation Study; to the Committee on Commerce, Science, and Transportation.

EC-8037. A communication from the Assistant Secretary for Fish, Wildlife, and Parks, Canyonlands National Park, National Park Service, transmitting, pursuant to law, the report of a rule entitled "Canyonlands National Park—Salt Creek Canyon" (RIN1024-AC87) received on June 15, 2004; to the Committee on Energy and Natural Resources.

EC-8038. A communication from the Secretary of the Interior, transmitting, a draft of proposed legislation entitled "Wilson's Creek National Battlefield Boundary Adjustment Act"; to the Committee on Energy and Natural Resources.

EC-8039. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Maryland Regulatory Program" (MD-053-FOR) received on June 14, 2004; to the Committee on Energy and Natural Resources.

EC-8040. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "West Virginia Regulatory Program" (WV-101-FOR) received on June 14, 2004; to the Committee on Energy and Natural Resources.

EC-8041. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of 10 CFR 50.48 to Allow Performance-Based Approaches Using National Fire Protection Association (NFPA) Standard 805 (NFPA 805) 'Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants' 2001 Edition" (RIN3150-AG48) received on June 15, 2004; to the Committee on Environment and Public Works.

EC-8042. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; Definition of Volatile Organic Material or Volatile Organic Compound" (FRL7661-8) received on June 14, 2004; to the Committee on Environment and Public Works.

EC-8043. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans for Texas; Approval of Section 179B Demonstration of Attainment, Volatile Organic Compounds and Nitrogen Oxides Motor Vehicle Emissions Budgets for Conformity for the El Paso Ozone Nonattainment Area" (FRL#7672-7) received on June 14, 2004; to the Committee on Environment and Public Works.

EC-8044. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans Georgia: Approval and Revisions to the State Implementation Plan" (FRL#7672-4) received on June 14, 2004; to the Committee on Environment and Public Works.

EC-8045. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Iowa" (FRL#7672-3) received on June 14, 2004; to the Committee on Environment and Public Works.

EC-8046. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Underground Storage Tank Program: Approved State Program for Virginia" (FRL#7658-3) received on June 14, 2004; to the Committee on Environment and Public Works.

EC-8047. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Underground Storage Tank Program: Approved State Program for West Virginia" (FRL#7657-4) received on June 14, 2004; to the Committee on Environment and Public Works.

EC-8048. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Guidance on Source of Cross-Border Pension Distributions" (Rev. Proc. 2004-37) received on June 10, 2004; to the Committee on Finance.

EC-8049. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update Notice—Pension Funding Equity Act of 2004" (Notice 2004-42) received on June 10, 2004; to the Committee on Finance.

EC-8050. A communication from the Acting Chief, Publications and Regulations Branch,

Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Disability Insurance Proceeds" (Rev. Rul. 2004-55) received on June 10, 2004; to the Committee on Finance.

EC-8051. A communication from the Director, Department of Homeland Security and the Director, Office of Personnel Management, transmitting, pursuant to law, a report relative to a new human resources system for some or all of the organizational units of the Department of Homeland Security; to the Committee on Governmental Affairs.

EC-8052. A communication from the Chairman, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the financial status of the railroad unemployment insurance system; to the Committee on Governmental Affairs.

EC-8053. A communication from the Administrator, General Services Administration, transmitting, a draft of proposed legislation relative to payment for certain travel expenses for Federal employees; to the Committee on Governmental Affairs.

EC-8054. A communication from the Assistant General Counsel for Regulatory Services, Office of Management, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Privacy Act Regulations" received on June 16, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-8055. A communication from the Assistant General Counsel for Regulatory Services, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Transition to Teaching—Notice of Final Priorities and Requirements" (RIN1855-ZA06) received on June 16, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-8056. A communication from the Assistant General Counsel for Regulatory Services, Office of the Chief Financial Officer, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Administration of Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations; Direct Grant Programs; State-Administered Programs; and Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments" (RIN1890-AA11) received on June 16, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-8057. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Transportation Conformity Rule Amendments for the New 8-Hour Ozone and PM 2.5 National Ambient Air Quality Standards and Miscellaneous Revisions for Existing Area; Transportation Conformity Rule Amendments: Response to Court Decision and Additional Rule Changes" (FRL#774-6) received on June 17, 2004; to the Committee on Environment and Public Works.

EC-8058. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality Designations and Classifications for the 8-hour Ozone: National Ambient Air Quality Standards; Deferral of Effective Date" (FRL7775-5) received on June 17, 2004; to the Committee on Environment and Public Works.

EC-8059. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality Designations and Classifications for the 8-Hour Ozone National Ambient Air

Quality Standards; Early Action Compact Areas With Deferred Effective Dates" (FRL#774-8) received on June 17, 2004; to the Committee on Environment and Public Works.

EC-8060. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; update to Materials Incorporated by Reference" (FRL#7668-1) received on June 17, 2004; to the Committee on Environment and Public Works.

EC-8061. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia; Approval of Revisions to the State Implementation Plan" (FRL#7672-4) received on June 17, 2004; to the Committee on Environment and Public Works.

EC-8062. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Florida; Broward County Aviation Department Variance" (FRL#7773-8) received on June 17, 2004; to the Committee on Environment and Public Works.

EC-8063. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Ohio" (FRL#7774-7) received on June 17, 2004; to the Committee on Environment and Public Works.

EC-8064. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants; National Emission Standards for Emission of Radionuclides Other Than Radon from Department of Energy Facilities; National Emission Standards of Radionuclide Emissions from Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H; Final Amendment" (FRL#7773-5) received on June 17, 2004; to the Committee on Environment and Public Works.

EC-8065. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Allowance System for Controlling HCFC Production, Import and Export" (FRL#7774-1) received on June 17, 2004; to the Committee on Environment and Public Works.

EC-8066. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the Convention on Supplementary Compensation for Nuclear Damage; to the Committee on Energy and Natural Resources.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. COLLINS, from the Committee on Governmental Affairs, with amendments:

S. 1292. A bill to establish a servitude and emancipation archival research clearinghouse in the National Archives (Rept. No. 108-282).

By Ms. COLLINS, from the Committee on Governmental Affairs, without amendment:

S. 2322. A bill to amend chapter 90 of title 5, United States Code, to include employees of the District of Columbia courts as partici-

pants in long term care insurance for Federal employees (Rept. No. 108-283).

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CRAPO (for himself, Mr. INHOFE, and Ms. MURKOWSKI):

S. 2550. A bill to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States; to the Committee on Environment and Public Works.

By Mr. FRIST (for himself and Mr. WYDEN):

S. 2551. A bill to reduce and prevent childhood obesity by encouraging schools and school districts to develop and implement local, school-based programs designed to reduce and prevent childhood obesity, promote increased physical activity, and improve nutritional choices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CONRAD:

S. 2552. A bill to provide environmental assistance to non-Federal interests in the State of North Dakota; to the Committee on Environment and Public Works.

By Mr. DASCHLE (for Mr. DODD (for himself and Mr. BUNNING)):

S. 2553. A bill to amend title XVIII of the Social Security Act to provide for coverage of screening ultrasound for abdominal aortic aneurysms under part B of the medicare program; to the Committee on Finance.

By Mr. FRIST (for Mr. INHOFE (for himself, Mr. JEFFORDS, Mr. BOND, and Mr. REID)):

S. 2554. A bill to provide for the consideration and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States and for other purposes; to the Committee on Environment and Public Works.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KENNEDY (for himself, Ms. MIKULSKI, Ms. CANTWELL, Mr. LEVIN, Mr. BINGAMAN, Mr. CORZINE, Mr. LIEBERMAN, Mrs. MURRAY, Mr. FEINGOLD, Mr. DASCHLE, Mr. BYRD, Mr. MILLER, and Mr. DURBIN):

S. Res. 385. A resolution recognizing and honoring the 40th anniversary of congressional passage of the Civil Rights Act of 1964; considered and agreed to.

By Mr. SCHUMER:

S. Res. 386. A resolution recognizing the 40th anniversary of June 21, 1964, the day civil rights organizers Andrew Goodman, James Chaney, and Michael Schwerner gave their lives in the struggle to guarantee the right to vote for every citizen of the United States, and encouraging all Americans to observe the anniversary of the deaths of the 3 men by committing themselves to ensuring equal rights, equal opportunities, and equal justice for all people; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 333

At the request of Mr. BREAUX, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 333, a bill to promote elder justice, and for other purposes.

S. 1010

At the request of Mr. HARKIN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1010, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities.

S. 1129

At the request of Mrs. FEINSTEIN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1129, a bill to provide for the protection of unaccompanied alien children, and for other purposes.

S. 1368

At the request of Mr. LEVIN, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1368, a bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement.

S. 1559

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 1559, a bill to amend the Public Health Service Act with respect to making progress toward the goal of eliminating tuberculosis, and for other purposes.

S. 1700

At the request of Mr. LEAHY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1700, a bill to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 1733

At the request of Mr. KOHL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1733, a bill to authorize the Attorney General to award grants to States to develop and implement State court interpreter programs.

S. 1888

At the request of Mr. SPECTER, the names of the Senator from California